

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

MDL NO. 2804

Case No. 17-md-2804

THIS DOCUMENT RELATES TO:

Judge Dan Aaron Polster

All MDL Cases

**ASSERTIO THERAPEUTICS, INC. AND ASSERTIO HOLDINGS, INC.'S
SUBMISSION REGARDING PLAINTIFF FACT
SHEETS AND SERVICE OF PROCESS**

Pursuant to the Court's Order Regarding Plaintiff Fact Sheets and Service of Process (Doc. 4801), Assertio Therapeutics, Inc. and Assertio Holdings, Inc. (collectively, the "Assertio Entities") hereby submit the attached list (Exhibit A) of plaintiff subdivisions that named either Assertio Entity but either (1) did not timely serve a Plaintiff Fact Sheet (PFS) to the PFS Repository or (2) did not obtain timely service of process on the named Assertio Entity.¹ In accordance with the Court's directive, the Assertio Entities have limited their list only to cases brought by plaintiff subdivisions and excluded cases brought by other types of plaintiffs. At this time, the Assertio Entities have not raised objections to the sufficiency or completeness of any PFS that was actually served to the PFS Repository, and they expressly reserve the right to raise these and other challenges at an appropriate time.

The Assertio Entities have prepared the list appended as Exhibit A to the best of their knowledge based on a reasonable investigation, and they reserve all rights to further supplement and/or amend Exhibit A. By making this submission, the Assertio Entities do not waive any

¹ Assertio Holdings, Inc. is named in only one MDL case. Assertio Therapeutics, Inc. is the named defendant in the remaining cases that name one of the Assertio Entities. The case involving Assertio Holdings, Inc. is specifically identified in Exhibit A.

available defense and expressly reserve all such defenses, including those related to personal jurisdiction and service of process. Additionally, any failure to list a case on Exhibit A hereto that qualifies for inclusion pursuant to the Court's directive is inadvertent and not intended to waive any rights, including the right to seek dismissal based on any available legal or factual basis.

Date: January 30, 2023

Respectfully submitted,

BAKER BOTTS L.L.P.

By: /s/ Scott D. Powers

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ATTORNEYS FOR DEFENDANTS ASSERTIO
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ASSERTIO HOLDINGS, INC.

CERTIFICATE OF SERVICE

I certify that, on January 30 2023, a true and correct copy of the foregoing document was served on all counsel of record via CME/EFC Filing. The document was also sent via electronic mail to Special Master David Cohen (david@specialmaster.law), Justin Washburne (justin_washburne@ohnd.uscourts.gov), and the following members of the PEC: Mark Crawford (mcrawford@skikos.com) and Steven Skikos (sskikos@skikos.com).

/s/ Scott D. Powers _____

Scott D. Powers